

AN ORDINANCE 100694

**AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SAN ANTONIO
BY AMENDING CHAPTER 35, UNIFIED DEVELOPMENT CODE, SECTION
35-304, OF THE CITY CODE OF SAN ANTONIO, TEXAS BY CHANGING THE
ZONING CLASSIFICATION OF CERTAIN PROPERTY.**

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WHEREAS, a public hearing was held regarding this amendment to the Official Zoning Map at which time parties in interest and citizens were given an opportunity to be heard; and

WHEREAS, the Zoning Commission has submitted a final report to the City Council regarding this amendment to the Official Zoning Map of the City of San Antonio; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Chapter 35, Unified Development Code, Section 35-304, Official Zoning Map, of the City Code of San Antonio, Texas is amended by changing the zoning classification of 81.26 acres out of NCB 34362, from "R-6" Residential Single Family District to "C-2 C" Commercial District with Conditional Use for Home Improvement Center on 38.344 acres and "C-2 C" Commercial District with Conditional Use for Office/Warehouse on 42.919 acres out of NCB 34362.

SECTION 2. The City Council finds as follows:

- A. The conditional use will not be contrary to the public interest.
- B. The conditional use will not substantially nor permanently injure the appropriate use of adjacent conforming property in the same district.
- C. The conditional use will be in harmony with the spirit and purpose as set forth in Section 35-422, Conditional Zoning, of the Unified Development Code.
- D. The conditional use will not substantially weaken the general purposes or the regulations as set forth in Section 35-422, Conditional Zoning, of the Unified Development Code.
- E. The conditional use will not adversely affect the public health, safety and welfare.

SECTION 3. A description of the property is attached as Exhibit "A" and made a part hereof and incorporated herein for all purposes.

SECTION 4. All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35-491.

SECTION 5. The Director of Planning shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

SECTION 6. If a court of competent jurisdiction enters a final judgment on the merits that is no longer subject to appeal and substantially limits or impairs the essential elements of sections one through four of this ordinance, then sections one through four are invalid and have no legal effect as of the date of entry of such judgment notwithstanding any other ordinance or provision of the City Code of San Antonio.

Item No. 5F.

SECTION 7. This ordinance shall become effective immediately upon passage if passed by eight or more votes otherwise this ordinance shall become effective April 24, 2005.

PASSED AND APPROVED this 14th day of April 2005.

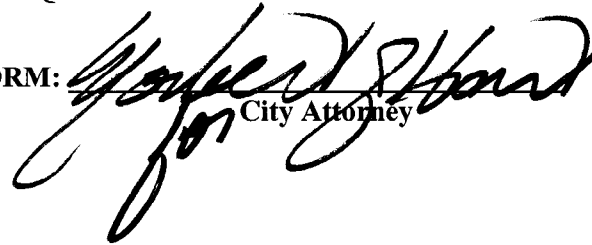


M A Y O R

ATTEST:


City Clerk

APPROVED AS TO FORM:


for City Attorney

Agenda Voting Results

Name: 5F

Date: 04/14/05

Time: 06:51:42 PM

Vote Type: Multiple selection

Description: ZONING CASE NUMBER Z2004210 C: The request of John L. Santikos, Applicant, for John L. Santikos, Owner(s), for a change in zoning from "R-6" Residential Single Family District to "C-2" C Commercial District with conditional use for home improvement center on 38.344 acres and "C-2" C Commercial District with conditional use for office/warehouse on 42.919 acres out of NCB 34362 on 81.26 acres at the intersection of Potranco Road and Seascape Drive. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 4)

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1	Not present			
JOEL WILLIAMS	DISTRICT 2		x		
RON H. SEGOVIA	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5	Not present			
ENRIQUE M. BARRERA	DISTRICT 6		x		
JULIAN CASTRO	DISTRICT 7	Not present			
ART A. HALL	DISTRICT 8		x		
CARROLL SCHUBERT	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10	Not present			
MAYOR ED GARZA	MAYOR	Not present			